

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
vs.)
) No. 4:15 CR 00049 CDP (DDN)
RAMIZ ZIJAD HODZIC,)
SEDINA UNKIC HADZIC,)
NIHAD ROSIC,)
MEDIHA MEDY SALICEVIC, and
ARMIN HARCVIC,)
)
Defendants.)

DEFENDANTS' JOINT REQUEST FOR AN EXTENSION OF TIME
TO FILE MEMORANDUM IN SUPPORT OF DEFENDANTS'
LAWFUL COMBATANT AFFIRMATIVE DEFENSE

Comes now Defendant Nihad Rosic, by and through undersigned counsel, and on behalf of all Defendants, Requests an Extension of Time to File Memorandum in Support of Defendants' Lawful Combatant Affirmative Defense. In support of said Request, Defendant Rosic, on behalf of all Defendants, hereby states as follows:

1. On May 24, 2017, this Court entered its Order (Doc. 381) relative to the filing of Defendants' Memorandum in support of their Lawful Combatant Affirmative Defense, which would include a proffer of specific items of evidence and the specific facts to be proven by evidence; that the Government's response would be due on July 21, 2017; and the Defendants' reply would be due August 4, 2017.

2. Despite the vigorous attempt to file their Memorandum on Lawful Combatant Immunity, request is made for an additional three (3) weeks, to and including July 21, 2017, for the following reasons:

- (a) The Defense expert has been in Iraq and, as a result, has not been able to fully engage with all of the various groups which Abdullah Ramo Pazara was allegedly involved;
- (b) Owing to the Defense's expert physical location in Iraq, he has been unable to adequately review all the applicable discovery concerning Abdullah Ramo Pazara;
- (c) Defendant Mediha Medy Salkicevic has recently been appointed co-counsel, J. Christian Goeke, by the Court (Doc. 385) and he has not had an opportunity to become fully versed with the issues to be raised in the Memorandum; and
- (d) Three (3) defense counsel are presently on vacation and unable to provide input and review to the Memorandum to be filed.

3. Given the extreme complexity of the issue of Combatant Immunity as an Affirmative Defense, Defendants would request a schedule for new filing deadline dates, to-wit:

Defendant's Memorandum:

July 21, 2017

Government's Response:

August 11, 2017

Defendant's Reply:

August 25, 2017

4. The requested extension of time is not prejudicial to any party hereunder and the interests of justice would be best served by the granting of this Motion for

Extension of Time for the Filing of “Traditional” Pretrial Motions as well as the deadline for filing an offer of evidence of an affirmative defense.

5. Michael Dwyer, Co-counsel for Defendant Ramiz Zijad Hodzic has discussed the filing of this Motion with Matthew Drake, Assistance United States Attorney, and he has no objection to its filing of the instant Motion.

WHEREFORE, for the foregoing reasons, Defendants collectively pray that this Honorable Court vacate its Orders of May 24, 2017 (Doc. 381); that new Orders be published in conformity with this Motion or, alternatively, to a schedule that meets with the Court’s schedule; and for such other and further Orders as the Court deems meet and proper in the premises.

Respectfully submitted,

/S/ **JoANN TROG**
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CERTIFICATE OF SERVICE

I hereby certify that on this 28th day of June, 2017, the foregoing was filed electronically with the Clerk of the Court to be served by operation of the Court's electronic filing system upon Matthew Drake, Kenneth Tihen and Howard Marcus, Assistant United States Attorney, 111 South 10th Street, 20th Floor, St. Louis, Missouri 63102 and Mara M. Kohn and Joshua D. Champagne, United States Department of Justice, 950 Pennsylvania Avenue, N.W., Washington, D.C. 20530; Diane Dragon, Kevin Curran and Michael Dwyer, Attorneys for Defendant Ramiz Zijad Hodzic, 1010 Market Avenue, Suite 200, Saint Louis, Missouri 63101; Paul D'Agrossa, Attorney for Defendant Sedina Unkic Hodzic, 7710 Carondelet Avenue, Suite 200, Clayton, Missouri 63105; Andrea E. Gambino, Attorney for Defendant Mediha Medy Salkicevic, 53 West Jackson Boulevard, Suite 224, Chicago, Illinois 60604; J. Christian Goeke, Co-counsel for Defendant Mediha Medy Salkicevic, 7711 Bonhomme Avenue, Suite 850, Clayton, Missouri 63105; and Charles D. Swift and Catherine McDonald, Attorneys for Defendant Armin Harcevic, 833 E. Arapaho Road, Suite 102, Richardson, Texas 75081.

/S/ ***JoANN TROG***